

Subject: Re: PBID board motion
From: Bruce Ecker <larux@pacbell.net>
Date: 06/03/2016 02:19 PM
To: Ryan Ferguson <ryan.ferguson@lacity.org>
CC: lparker@sanpedrobid.com, ericeoban@gmail.com

Ryan,

I am glad to hear that all LAFD, LAPD and Street Services regulations be enforced. Of special interest to me (besides elimination of the adult entertainment aspect of this event) are the sound regulations that the HIN event has been in gross violation of in past years. I have attached the noise regulations that BSS requires events to abide. Please note Item C and F. My live/work space is approximately 180 feet from the center of the stage that is erected for this event. At times the music from the stage was creating (and at times exceeding) a 30 decibel increase over ambient levels (and this is with my windows shut). This noise did not stop till slightly after 11pm. Sound at this volume makes my living space unlivable and my working space unworkable. Try to imagine what it is like for people that are only 40 feet from the sound stage...

Attempts to have PBID staff, HIN staff or the LAPD moderate - much less bring this event in to compliance - on the day of the event were fruitless. I am hoping your office will take these prior violations into account and press for having a member of the LAPD noise enforcement team contact the promoters prior to the event to explain the sound constraints they will need to work within to be in compliance with existing law, **and** have a member of the noise enforcement team or the LAPD on site the day of the event specifically to monitor and moderate the amplified sound (from all event sources - not just the main stage).

Also, I have to say that the placement of a sound amplification system of a size used for this event only 40 feet from a residential building is an exceptional lack of consideration on the part of the event planners and PBID for the residential stakeholder in the area, and a guarantee that the event will be unable to comply with existing sound regulations. This stage needs to be moved to another location - **as well** as having SEC. 115.02 strictly enforced. If this stage is not moved from the intersection of 6th and Center then this event will not be able to present amplified entertainment that will be in compliance with existing sound regulations, and we should let the organizers know they need to find a different venue.

Also, there was a 3 hour tear-down time for the sound stage the last two year, which meant that scaffolding pipes were being tossed around the intersection of Sixth and Center till 2am. A 9pm end time this year would mean that for the residents of this area this event would finally be over by midnight.

And then there is the issue with the amount of garbage left behind in the street

after the event (see attached image)... the event organizers need to deal with this issue at the end of the event rather than leaving it for local services to deal with in the morning.

Please let me know if your office can do to support resolution of these issues and work toward bringing this event into compliance with existing law as well as community standards.

Also, since this a community event, and since PBID has not seen fit to exercise any oversight regarding this event in the past, I think that individuals outside the PBID board should have some input into the MOU as well as being able to review it prior to it being approved and prior to the permit for this event being issued. Please let me know what your office can to encourage PBID to include the community in the planning of this community event. In the event that PBID insists on developing the MOU without external input, then I feel it will not be unreasonable for your office to require an additional MOU with the event organizers based on feedback from stakeholders outside the PBID board.

Bruce Ecker

SEC. 115.02. PROHIBITION AND REGULATIONS.

It shall be unlawful for any person, other than personnel of law enforcement or governmental agencies, or permittees duly authorized to use the same pursuant to Sec. 103.111 of this Code, to install, use, or operate within the City a loudspeaker or sound amplifying equipment in a fixed or movable position or mounted upon any sound truck for the purposes of giving instructions, directions, talks, addresses, lectures, or transmitting music to any persons or assemblages of persons in or upon any public street, alley, sidewalk, park or place, or other public property except when installed, used or operated in compliance with the following provisions:

(a) In all residential zones and within 500 feet there of, no sound amplifying equipment shall be installed, operated or used for commercial purposes at any time.

(b) The operation or use of sound amplifying equipment for noncommercial purposes in all residential zones and within 500 feet thereof, except when used for regularly scheduled operative functions by any school or for the usual and customary purposes of any church, is prohibited between the hours of 4:30 p.m. and 9:00 a.m. of the following day.

(c) In all other zones, except such portions thereof as may be included within 500 feet of any residential zone, the operation or use of sound

amplifying equipment for commercial purposes is prohibited between the hours of 9:00 p.m. and 8:00 a.m. of the following day.

(d) In all other zones, except such portions thereof as may be included within 500 feet of any residential zone, the operation or use of sound amplifying equipment for noncommercial purposes is prohibited between the hours of 10:00 p.m. and 7:00 a.m. of the following day.

(e) The only sounds permitted shall be either music, human speech, or both.

(f) Sound emanating from sound amplifying equipment shall be limited in volume, tone and intensity as follows:

1. The sound shall not be audible at a distance in excess of 200 feet from the sound equipment.

On 6/3/16 10:39 AM, Ryan Ferguson wrote:

Good Afternoon Bruce,

Thank you for your email.

Yes, our office is in receipt of the aforementioned letter regarding SPPOA opposing Hot Import Nights. With regards to the Council office taking action to prevent a permit from being issued, I am afraid it is not that simple. There are policies and procedures in place for a reason. As long as event producers pay the required fees and comply with LAFD/LAPD /Street Services regulations pertaining to special events and street closures, there is nothing that we can do.

After Wednesday's presentation on the event, the Board unanimously voted in support of the new and improved Hot Import Nights event, with the stipulation that the producers and the BID execute a written Memorandum of Understanding and all parties comply. After personally speaking with Michael Munar and his partner, I am confident that they will abide by this upcoming MOU.

Thank you for taking the time to voice your concerns. If you have further questions or concerns, please do not hesitate to contact me.

Sincerely,

Ryan Ferguson

On Tue, May 31, 2016 at 1:36 PM, Bruce Ecker <larux@pacbell.net> wrote:
Ryan

Can you confirm that your office has revived the letter mentioned below and let me know if the council office is planning to take any action that will prevent a permit being issued for the Hot Import Nights event this year.

Thanks

Bruce Ecker

On 5/19/16 4:11 PM, Lorena Parker wrote:

Bruce,

We have made contact and written an opposition letter to Councilmember Buscaino regarding opposing this event.

The motion that the San Pedro Property Owners' Alliance passed at the board meeting is as follows:

“Eisenberg motioned and Schirmer seconded that the San Pedro Property Owners’ Alliance not endorse or support the Hot Import Nights event as it is not appropriate for downtown San Pedro and to write an opposition letter to Councilmember Buscaino’s office asking the City not to support the event. The motion was unanimously approved.”

That is the most current update as of today.

Best regards,

Lorena Parker
Executive Director
San Pedro Property Owners' Alliance
**San Pedro Historic Waterfront
Business Improvement District**
390 W. 7th Street | San Pedro, CA 90731

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—Attachments:—

hin_15.jpg

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